IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1282 OF 2006

Anjan Kumar Chakraborty.] ..Petitioner

Vs.

1. Union of India & 2 ors.] ..Respondents

Mr. Sachin V. Masurkar for the petitioner.

None for the respondent.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 03RD MAY, 2006

P.C.

. The petitioner challenges the order of CAT, whereby his application for consideration to the post of Director General has been rejected. There is no dispute, in terms of the rules in force, that the petitioner does not have the necessary qualifications. It is, however, submitted on behalf of the petitioner that pursuant to the representation, proposals had been forwaded for the puprpose of amending the Rules and that they are under consideration. Once that be the case, it is submitted the petitioner's case ought to have been considered. The selection is done by UPSC. It is no doubt true that the petitioner has been representing and the petitioner's case for amending the Recruitment Rules

is under consideration. The last such communication is of the year 2002. Till date, the Rules have not been amended. Vacancies cannot be kept forever. They are required to be filled in.

2. In these circumstances, considering the Rules as in force, the rejection of the application of the petitioner by way of direct recruitment cannot be said to be illegal or arbitrary. We, therefore, do not find any error apparent in the order of CAT and consequently, the Petition is rejected.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]